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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,933	01/26/2004	Chih-Hung Su	ADTP0105USA	1932

27765 7590 07/27/2006

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EXAMINER

CANNING, ANTHONY J

ART UNIT PAPER NUMBER

2879

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/707,933

Applicant(s)

SU ET AL.

Examiner

Anthony J. Canning

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 and 17-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Acknowledgement of Amendment

1. The amendment to the instant application was entered on 10 May 2006.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. In claim 11, the recitation that “the material has a plurality of organic/inorganic ratios, and each organic/inorganic ratio of the material has a different thickness” is unclear to the examiner. The examiner is unsure as to the meaning of the thickness of a ratio.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 11-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Shi et al. (U.S. 5,811,177).

7. As to claim 11, Shi et al. disclose an organic light emitting display, comprising: a substrate (see Fig. 3, item 10; column 2, lines 38-41); an organic light emitting unit on the substrate (see Fig. 1, item 13; column 2, lines 45-49), and a passivation layer covering the organic light emitting unit (see Fig. 3, items 22, 24 and 26; column 3, lines 40-52), the material has a plurality of organic/inorganic ratios, and each organic/inorganic ratio of the material has a different thickness (see Fig. 3, item 22, 24 and 26; column 3, lines 6-7, organometallics have organic/inorganic ratios, and an example is Alq; column 3, lines 54-63, silicon dioxide has an organic/inorganic ratio).

8. As to claim 12, Shi et al. disclose the organic light emitting display of claim 11. Shi et al. disclose that the organic content is preponderant in a portion of the passivation layer adjacent to the organic light-emitting unit (see Fig. 3, item 22; column 3, lines 40-52; item 22 is the closest layer of the passivation layer, 22, 24 and 26 to the organic emitting layer 12).

9. As to claim 13, Shi et al. disclose the organic light emitting display of claim 11. Shi et al. further disclose that the inorganic content is preponderant in a portion of the passivation layer not in contact with the organic light-emitting unit (see Fig. 1, item 13; see Fig. 3, item 26; column 3, lines 40-52).

10. As to claim 14, Shi et al. disclose the organic light emitting display of claim 11. Shi et al. further disclose a thickness of the passivation layer is in a range of about 500 to 5000 angstroms (column 3, lines 15-25; column 4, lines 1-5; adding the layer thickness is *about* 5000 angstroms).

11. As to claim 15, Shi et al. disclose the organic light emitting display of claim 11. Shi et al. further disclose that the passivation layer includes $\text{SiO}_x\text{C}_y\text{H}_z$, $\text{SiN}_x\text{C}_y\text{H}_z$, or $\text{SiO}_w\text{N}_x\text{C}_y\text{H}_z$ compounds (column 3, lines 54-63; SiO_2 falls within the claimed materials, since the subscribes

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can be any real number including zero; the examiner interprets y and z to be zero and x to be 2; therefore silica fits the material listed first).

12. As to claim 16, the organic light emitting display device of claim 11. Shi et al. further disclose that the passivation layer has light transmittance in a range of about 40 to 90% (column 3, line 15; parylene is a polymer with transmittance between 40 to 90%).

Response to Arguments

13. The examiner acknowledges the amendment to claim 11.

14. The amendment to claim 11 does not clarify the examiner's confusion from the previous wording of the claim. Therefore the U.S.C. 112 2nd rejection is not withdrawn.

15. Shi et al. disclose various passivation layers, 22, 24 and 26 from figure 3. Layer 22 is an organometallic such as Alq (column 3, lines 26-28), and layers 24 and 26 can be silicon dioxide. Therefore there are a plurality of organic/inorganic ratios. Layer 22 is said to be 0.5-2 mils, while 24 and 26 are 0.05-10 microns.

Final Rejection

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

17. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony J. Canning whose telephone number is (571)-272-2486. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh D. Patel can be reached on (571)-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anthony Canning *ac*
18 July 2006

K. Guharay
7/21/06